

NOTICE AND SERVICE REQUIREMENTS

Per Local Rule 2002-1

United States Bankruptcy Court

District of North Dakota

(Effective 04/02/2013)

THE PROPONENT OF ANY MOTION, APPLICATION, PLAN OR OTHER REQUESTED RELIEF IS RESPONSIBLE FOR SERVICE OF THE PLEADING AND THE NOTICE AS MANDATED BY THE BANKRUPTCY RULES, LOCAL RULES OR THIS NOTICE AND SERVICE REQUIREMENTS LIST.

Relief	Rule	Code §	Pleadings to be filed	Notice	Notice sent to Whom?	Filing Fee (If Applicable)
Compel Abandonment, by Party in Interest	6007(b)	554(b)	Motion Notice Proof of Service Proposed Order	14 days to object	Interested parties ⁽¹⁾	\$176.00
Abandonment, by Trustee or Debtor in Possession (Chapter 11)	6007(a)	554(a)	Notice of Intent Proof of Service	14 days to object	All creditors ⁽²⁾	
Abstention		305	Motion Notice Proof of Service Proposed Order	21 days to object	All creditors ⁽²⁾	
Access to Tax Documents	4002	521	Motion Notice Proof of Service Proposed Order	14 days to object	Interested parties ⁽¹⁾	

Relief	Rule	Code §	Pleadings to be filed	Notice	Notice sent to Whom?	Filing Fee (If Applicable)
Access to Documents		107(c)(2)	Motion Notice Proof of Service Proposed Order	14 days to object	Interested parties(1)	
Adequate Protection	4001	361	Motion Notice Proof of Service Proposed Order	14 days to object	Interested parties plus 20 largest unsecured creditors if no committee was appointed (1)	
Administrative Expenses		503	Application Notice Proof of Service Proposed Order	21 days to object	Interested parties(1)	
Appeal	8001 8002 8004	Title 28 § 158	Notice	Notice must be filed within 14 days after entry of judgment, order or decree	Interested parties(1)	\$298.00
Appointment, Consumer Privacy Ombudsman		332 363	Motion Notice Proof of Service Proposed Order	14 days to object	Interested parties(1)	
Appointment, Interim Trustee in Involuntary Case	2001		Motion Notice Proof of Service Proposed Order	14 days to object	Interested parties(1)	

Relief	Rule	Code §	Pleadings to be filed	Notice	Notice sent to Whom?	Filing Fee (If Applicable)
Assume or Reject	6006	365	Motion Notice Proof of Service Proposed Order	14 days to object	Interested parties(1)	
Automatic Stay, Confirm Termination or Absence		362(j)	Motion Notice Proof of Service Proposed Order	14 days to object	Interested parties(1)	
Automatic Stay, Extend		362(c)(3)(B)	Motion Proof of Service	Scheduled for Hearing	Interested parties(1)	
Automatic Stay, Impose		362(c)(4)	Motion Proof of Service	Scheduled for Hearing	Interested parties(1)	
Automatic Stay, Lift	4001(a)(1)	362	Motion Notice Proof of Service	14 days to object	Interested parties(1)	\$176.00
Avoid Lien	4003(d)	522(f)	Motion Notice Proof of Service Proposed Order	14 days to object	Interested parties(1)	
Avoid Lien re Household Goods	4003	522(f)	Motion Notice Proof of Service Proposed Order	14 days to object	Interested parties(1)	

Relief	Rule	Code §	Pleadings to be filed	Notice	Notice sent to Whom?	Filing Fee (If Applicable)
Cash Collateral, Use of	4001(b)	363	Motion Proof of Service	Scheduled for Hearing	Interested parties plus 20 largest unsecured creditors if no committee was appointed, Rule 4001(b)(1)(1)	
Claim, Objection to	3007	502	Objection Proof of Service	Scheduled for Hearing	Interested parties(1)	
Compel			Motion Notice Proof of Service Proposed Order	14 days to object	Interested parties(1)	
Compensation	2016 For Ch. 13 See: L.R. 2016-1	330 331 328	Application Itemization Notice Proof of Service	21 days to object	All creditors if the amount requested is over \$1,000.00, Rule 2002(a)(6)(2) If under \$1,000, Interested parties(1)	
Compromise or Settlement, Trustee	9019		Stipulation Motion Notice Proof of Service	21 days to object	All creditors, Rule 2002(a)(3)(2)	
Consolidation/Deconsolidation	1015	302	Motion Notice Proof of Service	14 days to object	All creditors(2)	

Relief	Rule	Code §	Pleadings to be filed	Notice	Notice sent to Whom?	Filing Fee (If Applicable)
Contempt	9020	105	Motion Notice Proof of Service	14 days to object	Interested parties(1)	
Conversion, by Debtor						
- Chapter 7	1017(f)	706(a)	Motion Notice Proof of Service	14 days to object	Interested parties(1)	\$922.00 for chapter 7 to convert to chapter 11
- Chapter 11	1017(f)	1112(a)	Motion Notice Proof of Service	14 days to object	Interested parties(1)	\$15.00 to convert a chapter 11 to a chapter 7
- Chapter 12	1017(f)	1208(a)	Notice of Conversion		Interested parties(1)	\$60.00 to convert a chapter 12 to a chapter 7
- Chapter 13	1017(f)	1307(a)	Notice of Conversion		Interested parties(1)	\$25.00 to convert a chapter 13 to a chapter 7 \$932.00 for chapter 13 to convert to chapter 11
Conversion, by Party in Interest						
- Chapter 7	1017(f)	706(b)	Motion, Notice and Proof of Service	21 days to object	All creditors, Rule 2002(a)(4)(2)	\$15.00 to convert to chapter 7
- Chapter 11	1017(f)	1112(b)	Motion, Notice and Proof of Service	21 days to object	All creditors, Rule 2002(a)(4)(2)	

Relief	Rule	Code §	Pleadings to be filed	Notice	Notice sent to Whom?	Filing Fee (If Applicable)
- Chapter 12	1017(f)	1208(d)	Motion, Notice and Proof of Service	21 days to object	All creditors, Rule 2002(a)(4)(2)	
- Chapter 13	1017(f)	1307(c)	Motion, Notice and Proof of Service	21 days to object	Interested parties(1)	
Credit Counseling, Exemption from		109(h)(4)	Motion Notice Proof of Service	14 days to object	Interested parties(1)	
Credit Counseling, Extend Time		109(h)(3)	Motion Notice Proof of Service	14 days to object	Interested parties(1)	
Credit, to Obtain	4001(c)	364	Motion Notice Proof of Service	14 days to object	Interested parties plus 20 largest unsecured creditors if no committee was appointed, Rule 4001(c)(1)	
Damages, Creditor Misconduct		524(i) 707(b)(5)	Motion Notice Proof of Service	14 days to object	Interested parties(1)	

Relief	Rule	Code §	Pleadings to be filed	Notice	Notice sent to Whom?	Filing Fee (If Applicable)
Declaratory Judgment (constitutes an adversary proceeding)	7001(9)	Variable	Complaint Cover Sheet (if case not filed electronically)			\$293.00(3)
Default Judgment	7055 L.R. 7007-1		Motion Notice Proof of Service	21 days to object	Interested parties(1)	
Determine Mortgage Fees and Expenses	3002.1	1322(b)(5)	Motion Proof of Service	Scheduled for Hearing	Interested parties(1)	
Determine Final Cure and Mortgage Payment	3002.1	1322(b)(5)	Motion Proof of Service	Scheduled for Hearing	Interested parties(1)	
Discharge, Delay Entry of (filed by debtor)	4004(c) 2 L.R. 2002-1(E)		Motion Proof of Service	May be ruled on without hearing or opportunity to respond	Interested parties(1)	
Entry of Discharge (closed case due to lack of financial management or domestic support obligation/522(q) certificate)	L.R. 5010-1		Motion Notice Proof of Service	14 days to object	Interested parties(1)	
Discharge, Hardship	4007(d)	1228(b) 1328(b)	Motion	Court to enter order setting dischargeability deadline and hearing date	All creditors, Rule 2002(2)	
Discharge, Objecting to (Motion)	4004(a)	727(a)(8) 727(a)(9) 1328(f)	Motion Notice Proof of Service	14 days to object	Interested parties(1)	
Discharge, Objections to (constitutes an adversary proceeding)	4004(a) 7001(4)	727(a)	Complaint Cover Sheet (if case not filed electronically)			\$293.00.00(3)

Relief	Rule	Code §	Pleadings to be filed	Notice	Notice sent to Whom?	Filing Fee (If Applicable)
Dischargeability, Objection to (constitutes an adversary proceeding)	4007(c) 7001(6)	523(c)	Complaint Cover Sheet (if case not filed electronically)			\$293.00.00(3)
Dismiss, Duplicate Case	L.R. 2002-1(E)		Motion Proof of Service	May be ruled on without hearing or opportunity to respond	Interested parties(1)	
Dismissal, by Debtor						
-Chapter 7	1017(a)		Motion Notice Proof of Service Proposed Order	21 days to object	All creditors, Rule 2002(a)(4)(2)	
-Chapter 11	1017(a)		Motion Notice Proof of Service Proposed Order	21 days to object	All creditors, Rule 2002(a)(4)(2)	
-Chapter 12		1208(b)	Motion Notice Proof of Service Proposed Order	14 days to object	Interested parties(1)	
-Chapter 13		1307(b)	Motion Notice Proof of Service Proposed Order	14 days to object	Interested parties(1)	

Relief	Rule	Code §	Pleadings to be filed	Notice	Notice sent to Whom?	Filing Fee (If Applicable)
Dismissal, by Party in Interest						
-Chapter 7	1017(f)	707	Motion Notice Proof of Service	21 days to object	All creditors, Rule 2002(a)(4)(2)	
-Chapter 11	1017(f)	1112(d)	Motion Notice Proof of Service	21 days to object	All creditors, Rule 2002(a)(4)(2)	
-Chapter 12	1017(f)	1208(c)	Motion Notice Proof of Service	21 days to object	All creditors, Rule 2002(a)(4)(2)	
-Chapter 13	1017(f)	1307(c)	Motion, Notice and Proof of Service	21 days to object	All creditors Rule 2002(a)(4)(2)	
Expedite Hearing	9006 L.R. 2002-1(E)		Motion Motion for Expedited Hearing Proof of Service Proposed Order	May be ruled on without hearing or opportunity to respond	Interested parties(1)	
Employ (Application not required to employ debtor's attorney in Chapter 7 or 13)	2014 6003	327	Application Verified Statement or Affidavit Notice of Application Proof of Service	14 days to object	Interested parties(1)	

Relief	Rule	Code §	Pleadings to be filed	Notice	Notice sent to Whom?	Filing Fee (If Applicable)
Examination Under Rule 2004	2004 L.R. 2002-1(E)		Motion Proof of Service	May be ruled on without hearing or opportunity to respond	Interested parties(1)	
Examiner, Appoint in a Chapter 11	2007.1	1104	Motion Notice Proof of Service	14 days to object	Interested parties(1)	
Exemptions, Objection to	4003(b)	522	Objection Notice Proof of Service	14 days to object	Interested parties(1)	
Extend Time to File Complaint to Determine Dischargeability of Debt	4007(c)(d)	523	Motion Notice Proof of Service	14 days to object	Interested parties(1)	
Extend Deadline to Object to Discharge of Debtor	4004(b)	727	Motion Notice Proof of Service	14 days to object	Interested parties(1)	
Extend Time to Appeal	8002(c)		Motion Notice Proof of Service	14 days to object	Interested parties(1)	
Extend Plan Payments (Chapter 13)		1322(d) 1329(c)	Motion Notice Proof of Service	21 days to object	All creditors 2002(a)(5)(2)	
Extend Time to File Plan	9006 L.R. 2002-1(E)	1221 1321	Motion Proof of Service	May be ruled on without hearing or opportunity to respond	Interested parties(1)	

Relief	Rule	Code §	Pleadings to be filed	Notice	Notice sent to Whom?	Filing Fee (If Applicable)
Extend Exclusivity Period – Chapter 11	9006	1121(d)	Motion Notice Proof of Service	14 days to object	Interested parties ⁽¹⁾	
Extend Time to File Schedules or Statement	9006 1007(c) L.R. 2002-1(E)		Motion Proof of Service	May be ruled on without hearing or opportunity to respond	Interested parties ⁽¹⁾	
Filing Fees, Pay in Installments (individuals only)	1006 L.R. 2002-1(E) CM/ECF Admin. Pro. 4	Title 28 § 1930(a) (6)	Application	May be ruled on without hearing or opportunity to respond	Interested parties ⁽¹⁾	\$100.00 minimum payment due at time of filing
Financial Management Course, Exemption		109(h)(4) 727(a)(11)	Motion Notice Proof of Service	14 days to object	Interested parties ⁽¹⁾	
Injunction or Equitable Relief (constitutes an adversary proceeding)	7065 7001(7)	Variable	Complaint Cover Sheet (if case not filed electronically)			\$293.00.00 ⁽³⁾
Joint Administration	1015 L.R. 1015-1confir	302	Motion Notice Proof of Service	14 days to object	All creditors ⁽²⁾	
Judgment, Alter or amend	9023 L.R. 7007-1		Motion Notice Proof of Service	14 days to object	Interested parties ⁽¹⁾	
Leave to Appeal	8003		Motion Notice Proof of Service	14 days to object	Interested parties ⁽¹⁾	
Lien, Determine the Validity, Priority, or Extent of (constitutes an adversary proceeding)	7001(2)		Complaint Cover Sheet (If case not filed electronically)			\$293.00.00 ⁽³⁾

Relief	Rule	Code §	Pleadings to be filed	Notice	Notice sent to Whom?	Filing Fee (If Applicable)
Limit Notice	2002(i) L.R. 2002-1(E)		Motion Proof of Service Proposed Order	May be ruled on without hearing or opportunity to respond	Interested parties(1)	
Modify Assurance Payment		366	Motion Notice Proof of Service	14 days to object	Interested parties(1)	
Order Confirming Plan	2002(f)(7) LR 2002-1(C)		Proof of Service		All creditors, Rule(2)	
Plan, Confirmation of						
-Chapter 11	3020(b)	1128 1129	Plan	28 day notice of hearing	All creditors, Rule 2002(b)(4)	
-Chapter 12	3015	1224 1225	Plan	21 day notice of hearing	All creditors, Rule 2002(a)(8)(2)	
-Chapter 13 (hearing is held only if objections are filed)	3015 L.R. 3015-1	1324 1325	Plan Proof of Service	28 day notice of hearing,	All creditors, Rule 2002(b)(2)	
Plan, Amend Before Confirmation						
-Chapter 11		1129	Amended Plan Notice Proof of Service	21 days to object	All creditors, Rule 2002(a)(5)(2)	
-Chapter 12		1223	Amended Plan Notice Proof of Service	21 days to object	All creditors, Rule 2002(a)(5)(2)	

Relief	Rule	Code §	Pleadings to be filed	Notice	Notice sent to Whom?	Filing Fee (If Applicable)
-Chapter 13		1323	Amended Plan Notice Proof of Service	21 days to object	All creditors, Rule 2002(a)(5)(2)	
Plan, Motion to Modify after confirmation						
-Chapter 11		1127	Motion Modified Plan Notice Proof of Service	21 days to object	All creditors, Rule 2002(a)(5)(2)	
-Chapter 12 & 13	3015 L.R. 3015-2	1229 1329	Motion Modified Plan Notice Proof of Service	21 days to object	All creditors, Rule 2002(a)(5)(2)	
Pro Hac Vice	L.R. 9010-2(B) L.R. 2002-1(E)		Motion Proof of Service	May be ruled on without hearing or opportunity to respond	Interested parties(1)	
Quash			Motion Notice Proof of Service Proposed Order	14 days to object	Interested parties(1)	
Reaffirmation Agreement (pro se)	4008 L.R. 4008-1	524(c) and (d)	Reaffirmation Agreement, Cover Sheet and Motion	Set for hearing by	Interested parties(1)	
Reaffirmation Agreement, (presumption of undue hardship)	4008 L.R. 4008-1	524(c) and (d)	Reaffirmation Agreement and Cover Sheet	May be set for hearing by Court	Interested parties(1)	
Reaffirmation Agreement entered into with a credit union	4008 L.R. 4008-1	524(m)	Reaffirmation Agreement and Cover Sheet	Effective upon filing with Court	Interested parties(1)	

Relief	Rule	Code §	Pleadings to be filed	Notice	Notice sent to Whom?	Filing Fee (If Applicable)
Reaffirmation Agreement (with attorney representation – no presumption)	4008 L.R. 4008-1	524(c)	Reaffirmation Agreement and Cover Sheet	Effective upon filing with Court	Interested parties(1)	
Reconsider	9024		Motion Notice Proof of Service	14 days to object	Interested parties(1)	
Recover Money or Property except under § 543 § 554 and § 725 of the Code (constitutes an adversary proceeding)	7001(1)	542 544 547 548	Complaint Cover Sheet (If case not filed electronically)			\$293.00.00(3)
Redemption of Property from Lien or Sale	6008	722	Motion Notice Proof of Service	14 days to object	Interested parties(1)	
Reduce Time	9006 L.R. 2002(E)		Motion Proof of Service Proposed Order	May be ruled on without hearing or opportunity to respond	Interested parties(1)	
Refund Filing Fee			Motion Notice Proof of Service	14 days to object	Interested parties(1)	
Relief From Stay	4001(a) L.R. 4001-2	362(d)	Motion Notice Proof of Service	14 days to object	Interested parties plus the list of 20 largest unsecured creditors if no committee was appointed, Rule 4001(a)(1)(1)	\$176.00

Relief	Rule	Code §	Pleadings to be filed	Notice	Notice sent to Whom?	Filing Fee (If Applicable)
Relief from Co-Debtor Stay	4001	1201 1301 362	Motion Notice Proof of Service	14 days to object	Co-Debtor, Interested parties(1)	
Removal, Debtor as Debtor In Possession	2015(b)	1204	Motion Notice Proof of Service	14 days to object	Interested parties(1)	
Removal (adversary proceeding)	7001(10) 9027	Title 28, § 1452	Complaint Cover sheet (If case not filed electronically)			\$293.00.00(3)
Reopen Case	5010 4007(b) L.R. 2002(E) L.R. 5010-1	350(b)	Motion Proof of Service	May be ruled on without hearing or opportunity to respond	Interested parties(1)	Chapter 7 - \$260.00 Chapter 11 - \$1167.00 Chapter 13 - \$235.00 Chapter 12- \$200.00
Retiree Benefits, Reinstatement of		1114	Motion Notice Proof of Service	14 days to object	Interested parties(1)	

Relief	Rule	Code §	Pleadings to be filed	Notice	Notice sent to Whom?	Filing Fee (If Applicable)
Sell	6004	363	Motion Notice Proof of Service Proposed Order	21 days to object	All creditors, Rule 2002(a)(2)(2)	
Sanctions	7037	Title 28, § 1927	Motion Notice Proof of Service	14 days to object	Interested parties(1)	
Schedules, Amending to add creditors, omit creditors, change amount of debt or classification of debt. If the case is closed, it will need to be reopened.	1009 L.R. 1009-1		Amended Schedule Amendment Cover Sheet Notice to Creditor Form Proof of Service	See L.R. 1009-1 and Local Form (Notice to Creditor)	Interested parties(1)	\$30.00
Schedules, Amending to change an address of a listed creditor or add a name and address of an attorney for a creditor already listed.	1009 L.R. 1009-1		Amended Schedule Amendment Cover Sheet		Interested parties(1)	No fee required
Seal Records	L.R. 5005-4 L.R. 2002-1(E)		Motion Proof of Service Proposed Order	May be ruled on without hearing or opportunity to respond	Interested parties(1)	
Stay Pending Appeal	8005		Motion Notice Proof of Service	14 days to object	Interested parties(1)	

Relief	Rule	Code §	Pleadings to be filed	Notice	Notice sent to Whom?	Filing Fee (If Applicable)
Strike			Motion Notice Proof of Service	14 days to object	Interested parties ⁽¹⁾	
Strike to Redact Personal Identifiers	9037 L.R. 2002-1(E)		Motion Proof of Service	May be ruled on without hearing or opportunity to respond		
Substitution of Attorney (different law firms)	L.R. 9010-2(C)		Motion Notice of Motion Proof of Service Proposed Order	14 days to object	Interested parties ⁽¹⁾	
Substitution of Attorney (same law firm)	L.R. 9010-2(C)		Notice of Substitution (signed by both attorneys)		Interested parties ⁽¹⁾	
Summary Judgment	7056 L.R. 7007-1		Motion Notice Proof of Service	21 days to object	Interested parties ⁽¹⁾	
Transfer Case	1014	Title 2, §1412	Motion Notice Proof of Service	14 days to object	All creditors ⁽²⁾	
Trustee, Final Report in Chapter 7 case with net proceeds in excess of \$1,500	2002(f)(8)	704(a)(9)	Final Report Notice Proof of Service	28 days to object	All creditors ⁽²⁾	
Trustee, Appoint in a Chapter 11	2007.1	1104	Motion Notice Proof of Service	14 days to object	Interested parties ⁽¹⁾	
Turnover estate property in debtor's possession (to recover estate property in third party's possession, an adversary proceeding is required)	7001	543	Motion Notice Proof of Service	14 days to object	Interested parties ⁽¹⁾	

Relief	Rule	Code §	Pleadings to be filed	Notice	Notice sent to Whom?	Filing Fee (If Applicable)
Value of Personal Property, Determine Consequential (By Trustee Only)		362(h)(2) 521(a)(2)	Motion Notice Proof of Service	14 days to object	Interested parties ⁽¹⁾	
Valuation	3012	506(a)	Motion Proof of Service	Scheduled for Hearing	Interested parties ⁽¹⁾	
Venue, Change	1014	Title 28, § 1412	Motion Notice Proof of Service	14 days to object	All creditors ⁽²⁾	
Withdraw as Attorney	L.R. 9010-2(C)		Motion Notice Proof of Service	14 days to object	Interested parties ⁽¹⁾	
Withdrawal of Reference		Title 28, § 157(d)	Motion Notice Proof of Service	14 days to object	Interested parties ⁽¹⁾	\$176.00

These guidelines are for reference purposes only and should not be relied upon instead of the Bankruptcy Code and/or Bankruptcy Rules. Parties are advised that they should consult the applicable Code sections and/or Rules. Proof of Service necessary where noted if parties served are not electronic filing users.

1. "Interested parties" in a main case bankruptcy means: The debtor and debtor's attorney, trustee, United States Trustee, creditors' committee, any party or attorney who may be directly involved with the proceeding and anyone else you deem necessary should receive notice.

"Interested parties" in an adversary proceeding means: The plaintiff and/or their attorney, the defendant and/or their attorney, United States Trustee, any party or attorney who may be directly involved with the proceeding and anyone else you deem necessary should receive notice.

2. "All Creditors" means: Everyone on the mailing matrix, interested parties, plus any other attorney or party who is not listed but might be an interested party.

3. If the United States, other than a United States Trustee acting as a trustee in a case under title 11, or a debtor is the plaintiff, no fee is required. If a trustee or debtor in possession is the plaintiff, the fee should be payable only from the estate and to the extent there is any estate realized. If a child support creditor or its representative is the plaintiff, and if such plaintiff files the form required by § 304(g) of the Bankruptcy Reform Act of 1994, no fee is required.

4. At least 28 days before the confirmation hearing, the following items must be served on all creditors: order approving disclosure statement, notice of confirmation hearing, approved disclosure statement, plan and ballot. These materials will not be mailed by the clerk's office.